

REMARKS

I. Introduction

Claims 11-12 and 16-18 were pending in this application. Claims 11 and 16 have been amended and claim 17 has been canceled. Reconsideration of the present application in view of the foregoing amendments and following remarks is respectfully requested.

II. Rejection of Claims 11-12 and 16-18 Under 35 U.S.C. § 103(a)

Claims 11-12 and 16-18 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Japanese Patent No. JP2001198141A to Kudo et al. (hereinafter "Kudo") in view of U.S. Patent No. 6,081,371 to Shioda et al. (hereinafter "Shioda '371") and Japanese Patent No. JP 2001299695 ("Nakanishi et al."). The Applicants respectfully submit that this rejection should be withdrawn for at least the following reasons.

Claim 11 has been amended to require that "the microscope holding member includes: an arm that extends horizontally towards an above of the specimen stage, and holds the probe microscope; and a rotatable member that is rotatably attached to a distal end of the arm so as to be rotatable around a horizontal axis, and holds the auxiliary microscope". Amended claim 11 is based on the features of claims 16 and 17. Claim 17 has been cancelled.

As amended, the microscopic observing apparatus according to claim 11 includes a feature of "the microscope holding member includes: an arm that extends horizontally towards an above of the specimen stage, and holds the probe microscope; and a rotatable member that is rotatably attached to a distal end of the arm so as to be rotatable around a horizontal axis, and holds the auxiliary microscope". With this feature, the present invention can obtain an advantageous effect that an operator can easily and directly view an operation area of the subject of observation immediately, in accordance with necessity, by rotating and displacing the auxiliary microscope from its observation position together with the rotatable member around the horizontal axis. In addition, the operator can return the auxiliary microscope to its original observation position by rotating it.

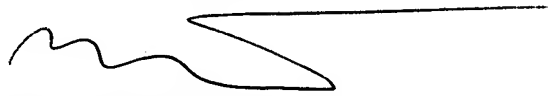
On the other hand, the above-mentioned features of the present invention are not disclosed or suggested in Kudo et al., Shioda'371, and Nakanishi et al., and the above-mentioned advantageous effect cannot be obtained by the devices of Kudo et al., Shioda'371, and Nakanishi et al.

For the preceding reasons, it is respectfully submitted that the rejection under 35 U.S.C. § 103(a) should be withdrawn.

CONCLUSION

Applicants respectfully submit that pending claims 11-12, 16 and 18 of the present application under consideration are now in condition for allowance.

Respectfully submitted,



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